

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Welch, et al.

Title: TUMOR SUPPRESSOR
MOLECULES AND METHODS
OF USE

Appl. No.: 09/438,917

Filing Date: 11/22/99

Examiner: Alana M. Harris

Art Unit: 1642

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

RECEIVED
SEP 12 2002
TECH CENTER 1600/2900

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of the first Office Action on the merits; and within three (3) months after the mailing date of the foreign search report. (A copy of the European Search Report dated June 22, 2002 is enclosed herewith.)

FEE

The Commissioner is hereby authorized to charge the amount of \$180.00 to Deposit Account No. 50-0872 to cover the fee set forth in 37 C.F.R. § 1.17(p) for Submission of an Information Disclosure Statement under 37 C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date September 6, 2002

FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6722
Facsimile: (858) 792-6773

By Barry Wilson
Barry S. Wilson
Attorney for Applicant
Registration No. 39,431